

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY



To:

see form PCT/ISA/220

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## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/B2005/050182

International filing date (day/month/year)  
17.01.2005

Priority date (day/month/year)  
20.01.2004

International Patent Classification (IPC) or both national classification and IPC  
G08C17/00

Applicant  
KONINKLIJKE PHILIPS ELECTRONICS, N.V.

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
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Authorized Officer

Pham, P.

Telephone No. +31 70 340-3851



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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	3,4,5,7,8,10,11,14,15,16,18,19,20
	No: Claims	1,2,6,9,12,13,17,21
Inventive step (IS)	Yes: Claims	
	No: Claims	1-21
Industrial applicability (IA)	Yes: Claims	1-21
	No: Claims	

2. Citations and explanations

**see separate sheet**

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

1. Reference is made to the following documents:

**D1:** WO9922338  
**D2:** US6603420  
**D3:** US2002009972

2. The present application does not meet the criteria of **Article 33(1) PCT**, because the subject-matter of claims 1, 12 and 21 is **not new** in the sense of **Article 33(2) PCT**.

- 2.1 Document **D1** discloses (the references in parentheses applying to **D1**):

An apparatus for controlling a base device (**40**), comprising:

a memory (**38**); and  
at least one processor (**30**), coupled to the memory (**38**), operative to:  
detect a motion of said apparatus (**page 7, line 33 - page 8, line 19**);  
interpret said motion to identify a command that triggers a transfer of data  
between said apparatus and said base device (**40**); and  
execute said command (**figure 16; page 15, lines 8 - 17; page 19, lines 3 - 8;  
page 21, lines 29 - 32**).

Therefore, the subject-matter of **claim 1** is not new (**Article 33(1) and (2) PCT**).

- 2.2 The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent **claims 12 and 21**, which therefore is also considered not new (**Article 33(1) and (2) PCT**).

- 2.3 Similar objections can also be made based on document **D2 (column 3, line 3 - column 4, line 42)**. The subject matter of claims 1, 12 and 21 is not new (**Article 33(1) and (2) PCT**).

3. Dependent claims 2 - 11 and 13 - 20 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of **novelty** and/or **inventive step**. The subject-matter of claims 2 - 11 and 13 - 20 either relates to features which are already known from the prior

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art (see **D1 - D3**) or to features which are merely obvious design options:

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**Box No. V Reasoned statement under Rule 43*bis*.1(a)(I) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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	No: Claims	1-21
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**2. Citations and explanations**

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